

**STATEMENT UNDER 37 CFR 1.97(e) ACCOMPANYING
INFORMATION DISCLOSURE STATEMENT**

Docket No.
NEC WNZ-2665

In Re Application Of: **OHKUBO et al.**

Application No. 10/822,374	Filing Date April 12, 2004	Examiner Danielsen, Nathan A.	Customer No. 27667	Group Art Unit 2627	Confirmation No. 2825
--------------------------------------	--------------------------------------	---	------------------------------	-------------------------------	---------------------------------

Invention: **REPRODUCED SIGNAL EQUALIZING METHOD FOR OPTICAL INFORMATION MEDIA AND
OPTICAL INFORMATION REPRODUCING/RECORDING APPARATUS**

COMMISSIONER FOR PATENTS:

This is a statement under the provisions of 37 CFR 1.97(e) in the above-identified application.

Check applicable statement herebelow:

Statement Under 37 CFR 1.97(e)(1)

- ☒ Each item of information contained in the accompanying Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

Statement Under 37 CFR 1.97(e)(2)

- ☐ No item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned person, after making reasonable inquiry, no item of information contained in the accompanying Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.



Signature

Dated: **12/3/08**

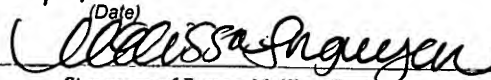
Norman P. Soloway
Reg. No. 24,315
HAYES SOLOWAY P.C.
3450 E. Sunrise Drive, Suite 140
Tucson, Arizona 85718
P: 520-882-7623
F: 520-882-7643

Certificate of Mailing by First Class Mail

I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

12/3/08

(Date)

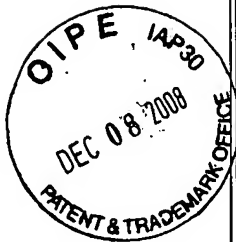


Signature of Person Mailing Correspondence

Melissa Nguyen

Typed or Printed Name of Person Mailing Correspondence

CC:



IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLN. OF: OHKUBO et al.
SERIAL NO.: 10/822,374
FILED: April 12, 2004
FOR: REPRODUCED SIGNAL EQUALIZING METHOD FOR...
GROUP: 2627
DOCKET: NEC WNZ-2665 CONFIRMATION NO. 2825

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

In connection with the above-entitled matter, Applicants wish to bring to the attention of the Patent Office additional prior art received in connection with an Official Action issued in Applicants' corresponding Japanese application. Attached is U.S. Patent Office Form PTO-1449, including additional copies of the prior art references listed therein, and a copy of the Official Action. Where available, English language counterparts and/or abstracts are also provided for Examiner's convenience. The references JP2003-085764 and JP2001-126260 are already of record in this case. Thus, additional copies are not being provided. The claims in the present application are believed to be patentably distinguished over these references.

This Information Disclosure Statement is being made pursuant to the duty of disclosure imposed by law and formulated in 37 CFR 1.56(A). No representation is made that the

HAYES SOLOWAY P.C.
3450 E. SUNRISE DRIVE,
SUITE 140
TUCSON, AZ 85718
TEL. 520.882.7623
FAX. 520.882.7643

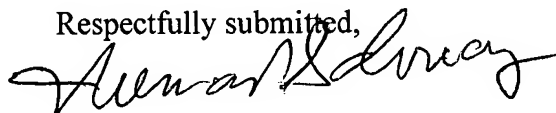
175 CANAL STREET
MANCHESTER, NH 03101
TEL. 603.668.1400
FAX. 603.668.8567

information thus disclosed in fact constitute prior art or that it is the closest prior art, inasmuch as 37 CFR 1.56(A) relies on a materiality concept which depends on subjectivity.

In compliance with the requirements of 37 CFR § 1.98(a)(3), as a concise statement of relevance, as it is presently understood by the individual designated in 35 U.S.C. § 1.56(c) most knowledgeable about the content of the information, the undersigned attorney of record submits a translation of portions of an Official Action by a foreign Examiner in which the references were cited. The relevance to the pending U.S. patent application is that the references were cited in a foreign patent application on the same subject matter. However, no independent analysis of the reference, the accuracy of the statement of foreign Examiner or the claims of the foreign application under the laws of the country or the United States relative to the subject matter claimed in the present application has been made; the present understanding of the contents thereof by the undersigned being based on the translation of the foreign Examiner's comments submitted therewith.

The enclosed Information Disclosure Statement is being submitted prior to issuance of the first action on the merits. Therefore, we believe there are no fees involved with this Supplemental Information Disclosure Statement. However, in the event there are any fees payable, please charge them to our Deposit Account No. 08-1391.

Respectfully submitted,



Norman P. Soloway
Attorney for Applicants
Registration No. 24,315

HAYES SOLOWAY P.C.
3450 E. SUNRISE DRIVE,
SUITE 140
TUCSON, AZ 85718
TEL. 520.882.7623
FAX. 520.882.7643

175 CANAL STREET
MANCHESTER, NH 03101
TEL. 603.668.1400
FAX. 603.668.8567



Serial No. 10/822,374
Docket No. NEC WNZ-2665
Supp. Information Disclosure Statement

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: MAIL STOP AMENDMENT Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 3, 2008 at Tucson, Arizona.

NPS:msn

By: 

HAYES SOLOWAY P.C.
3450 E. SUNRISE DRIVE,
SUITE 140
TUCSON, AZ 85718
TEL. 520.882.7623
FAX. 520.882.7643

175 CANAL STREET
MANCHESTER, NH 03101
TEL. 603.668.1400
FAX. 603.668.8567